

### **REMARKS**

Claims 1-16 remain in this application. Claims 17-56 were canceled. The pending claims were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. 5,884,270 to Walker et al. ("Walker"), in view of U.S. 5,867,821 to Ballantyne et al. ("Ballantyne") and U.S. 5,748,738 to Bisbee et al. ("Bisbee"). Claims 1 and 16 have been amended. The applicant respectfully requests reconsideration of the application in light of the above amendments and the following remarks.

#### **The Pending Claims Are Directed To Non-Obvious Subject Matter**

The current rejections should be withdrawn, because the cited prior art does not teach or suggest all limitations of the claims. The independent claims are respectively directed to a method and system providing access to a candidate's personal background data, wherein the data have been verified. The claims have been amended to clearly express the concept that the data have been verified with a third party before access to the candidate's data is provided. By contrast, the prior art typically first provides the unverified candidate data to an employer, and an employer seeks verification of the data only at a later time (presumably after determining that the candidate would be a good match if the data are accurate, complete, and true).

In particular, amended Claim 1 requires establishing a data record relating to the candidate's personal background data, the data record including a set of query results. The set of query results includes the result of a verification query for each component of a set of data components based on information supplied by the candidate. The currently amended Claim 1 requires that the set of query results are obtained at a first time, and further requires receiving, only after the first time, a candidate identifier from an outside user wanting verification of the candidate's personal background data. Claim 16 is similarly amended.

The cited prior art does not read on this timing limitation. The current rejection cites Walker, col. 8 lines 15-19 and col. 17 line 63 to col. 18 line 32 as establishing a data record having the claimed set of query results. However, Walker teaches away from the timing limitation in the very passage cited by the Office:

Central controller 200 receives a verification request from a requestor for verification of party data (step 700). ... In response, central controller 200 transmits a verification status request to a verification authority to verify the party data (step 710).

Walker, col. 18, lines 3-10 (emphasis added). These steps are taken by the requestor to verify the authenticity of the origin, authorship, and/or integrity of the candidate's data (step 520). Thus, Walker's verification status is obtained only after the candidate's data are already in hand, in direct opposition to the claimed timing limitation. Further, neither Ballantyne nor Bisbee teaches first obtaining data verification results and only afterward receiving a candidate identifier that corresponds to those results from an outside user, as now claimed. Walker typifies prior art approaches to verification of credentials of a candidate for employment in seeking verification only after the candidate's information is in hand and the candidate is determined to be of interest to the employer. In contrast, the subject matter claimed herein turns on its head the approach to verification of a candidate's credentials, by enabling the candidate to control the process and have credentials verified in advance of consideration of the candidate by the employer.

Accordingly, the cited prior art fails to teach, alone or in combination, all of the limitations of the claims. The applicant submits that Claims 1-16 are allowable over these references. As the pending claims are believed to be allowable, the applicant respectfully requests allowance of the application. The applicant further asks that the Examiner contact the undersigned, David E. Blau, if it will assist further examination of this application.

The applicant does not believe any extension of time is required for timely consideration of this response. In the event that an extension has been overlooked, this conditional petition of extension is hereby submitted. Please charge deposit account number 19-4972 for any fees that may be required for the timely consideration of this paper.

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Respectfully submitted,

/ David E. Blau, #60,625 /

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